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 Facsimile No.: (571) 273-8300 Date: April 24, 2008
 From: Mark L. Watson, Reg. No. 46,322
 Our Docket No.: 5545P002 Number of pages 30 including this sheet.
 Application No.: 09/902,515 Filing Date: 7/9/2001
 Docket Due Date(s): 5/8/2008

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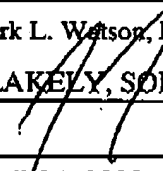
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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | | Application No. | 09/902,515 |
| | | Filing Date | July 9, 2001 |
| | | First Named Inventor | Roger Collins |
| | | Art Unit | 2624 |
| | | Examiner Name | |
| Total Number of Pages in This Submission | 29 | Attorney Docket Number | 5545P002 |

| ENCLOSURES (check all that apply) | | |
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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|--|
| Firm or Individual name | Mark L. Watson, Reg. No. 46,322 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP |
| Signature |  |
| Date | April 24, 2008 |

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FEE TRANSMITTAL for FY 2007

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Application Number 09/902,515
Filing Date July 9, 2001
First Named Inventor Roger Collins
Examiner Name
Art Unit 2624
Attorney Docket No. 5545P002

APR 24 2008

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☒ None ☐ Other (please identify):
☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

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FEE CALCULATION

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet. | |
| 2053 | 130 | 2053 | 130 | Non-English specification | |
| 1251 | 120 | 2251 | 60 | Extension for reply within first month | |
| 1252 | 460 | 2252 | 230 | Extension for reply within second month | |
| 1253 | 1,050 | 2253 | 525 | Extension for reply within third month | |
| 1254 | 1,640 | 2254 | 820 | Extension for reply within fourth month | |
| 1255 | 2,230 | 2255 | 1,115 | Extension for reply within fifth month | |
| 1401 | 510 | 2401 | 255 | Notice of Appeal | |
| 1402 | 510 | 2402 | 255 | Filing a brief in support of an appeal | |
| 1403 | 1,030 | 2403 | 515 | Request for oral hearing | |
| 1451 | 1,510 | 2451 | 1,510 | Petition to institute a public use proceeding | |
| 1460 | 130 | 2460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 1809 | 810 | 1809 | 405 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 810 | 2810 | 405 | For each additional invention to be examined (37 CFR § 1.129(b)) | |

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SUBMITTED BY

Name (Print/Type) Mark L. Watson Registration No. 46,322 Telephone (303) 740-1980
Signature Date 04/24/08

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**FEE TRANSMITTAL
for FY 2007***Patent fees are subject to annual revision.*☐ Applicant claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT**

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Application Number 09/902,515

Filing Date July 9, 2001

First Named Inventor Roger Collins

Examiner Name

Art Unit 2624

Attorney Docket No. 5345P002

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For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.☒ Credit any overpayments**FEE CALCULATION**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
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| 2053 | 130 | 2053 | 130 | Non-English specification | |
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| 1253 | 1,050 | 2253 | 525 | Extension for reply within third month | |
| 1254 | 1,640 | 2254 | 820 | Extension for reply within fourth month | |
| 1255 | 2,230 | 2255 | 1,115 | Extension for reply within fifth month | |
| 1401 | 510 | 2401 | 255 | Notice of Appeal | |
| 1402 | 510 | 2402 | 255 | Filing a brief in support of an appeal | |
| 1403 | 1,030 | 2403 | 515 | Request for oral hearing | |
| 1451 | 1,510 | 2451 | 1,510 | Petition to Institute a public use proceeding | |
| 1460 | 130 | 2460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 1809 | 810 | 1809 | 405 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 810 | 2810 | 405 | For each additional invention to be examined (37 CFR § 1.129(b)) | |

Other fee (specify) _____

SUBTOTAL (2) (\$)**SUBMITTED BY***Complete (if applicable)*

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Date

04/24/08

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Our Docket No.: 005545.P002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Collins

Application No.: 09/902,515

Filed: July 9, 2001

For: System and Method for Compressing
Data Using Field-Based Code Word
Generation

Examiner: Chen, Wenpeng

Art Group: 2624

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF
IN SUPPORT OF APPELLANT'S APPEAL
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant (hereinafter "Appellant") hereby submits this Brief in support of its appeal from a final decision by the Examiner, mailed June 13, 2007, in the above-captioned case. Appellant respectfully requests consideration of this appeal by the Board of Patent Appeals and Interferences (hereinafter "Board") for allowance of the above-captioned patent application.

An oral hearing is not desired.

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**RECEIVED
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The invention is assigned to Good Technology, Inc., currently of 4250 Burton Dr, Santa Clara, California 95054.

II. RELATED APPEALS AND INTERFERENCES

Applicant believes the Board's prior appeal decision, made on 08/25/2006, regarding the present application (App. No. 09/902,515), is related to this pending appeal.

III. STATUS OF THE CLAIMS

Claims 1-29 are cancelled. Claims 30-51 are currently pending in the above-referenced application. No claims have been allowed. All pending claims were rejected in the Final Office Action mailed June 13, 2007, and are the subject of this appeal.

All pending claims stand rejected under 35 U.S.C. § 103.

IV. STATUS OF AMENDMENTS

An Amendment After Final Action under 37 C.F.R. § 1.116 was submitted in response to the Final Office Action mailed on June 26, 2007. In response, the Examiner mailed an Advisory Action on July 6, 2007 maintaining the claim rejections. A copy of all claims on appeal is attached hereto as an Appendix of Claims.

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V. SUMMARY OF CLAIMED SUBJECT MATTER

In claim 30, a method is disclosed. The method includes receiving data at an interface from a service (See Specification at page 8, paragraph [0022]), identifying at the interface whether the data is an electronic mail (email) message corresponding to a user mailbox or address book data corresponding to the user address book (See Specification at page 20, paragraph [0047]), applying a first set of code words to encode data in the email message and applying a second set of code words to encode the address book data (See Specification at page 20, paragraph [0047]).

In claim 38, a method is disclosed. The method includes identifying at a wireless processing device whether data to be transmitted is an electronic mail (email) message corresponding to a user mailbox or address book data corresponding to the user address book (See Specification at page 20, paragraph [0047]), applying a first set of code words to encode data in the email message and applying a second set of code words to encode the address book data (See Specification at page 20, paragraph [0047]).

Claim 43 includes a system having a service to provide messaging and groupware services and an interface (See Fig. 1 and Specification at page 8, paragraphs [0022] – [0021]), coupled to receive message data from the service. The interface includes a compression module to identify whether the message data is an electronic mail (email) message corresponding to a user mailbox or address book data corresponding to the user address book (See Specification at page 20, paragraph [0047]), apply a first set of code words to encode data in the email message and apply a second set of code words to encode the address book data (See Specification at page 20, paragraph [0047]).

Claim 48 includes a wireless processing device comprising a compression module to identify whether message data to be transmitted to a messaging service is an electronic

mail (email) message corresponding to a user mailbox or address book data corresponding to the user address book, apply a first set of code words to encode data in the email message and apply a second set of code words to encode the address book data (See Fig. 2 and Specification at page 8, paragraph [0047]).

VI. GROUND OF REJECTION TO BE REVIEWED ON APPEAL**RECEIVED
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Claims 30, 43 and 46 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Carr, U.S. Patent No. 5,293,379 (*Carr*) in view of Togawa et al., U.S. Publication No. 2002/0004821 ("*Togawa*")

The remaining rejections in the Final Office Action rely on this rejection. Only this first rejection is to be reviewed.

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VII. ARGUMENT

1. THE PENDING CLAIMS 30, 43 AND 46 WERE IMPROPERLY REJECTED UNDER 35 U.S.C. § 103(A) BECAUSE THE COMBINATION OF CARR AND TOGAWA DOES NOT DISCLOSE OR SUGGEST EACH AND EVERY FEATURE OF THE PENDING CLAIMS

Appellant respectfully submits that the embodiments disclosed in *Carr* and *Togawa* when combined fail to disclose or suggest the claimed invention for the reasons set forth below. As the Honorable Board is well aware, in order to establish a *prima facie* case of obviousness:

First, "there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." (Emphasis added). *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). Manual of Patent Examining Procedure (MPEP), 8th Edition, Revision 2, May 2004, §2143.

- (A) Claims 30, 43 and 46 were improperly rejected because the combination of *Carr* and *Togawa* does not disclose or suggest identifying whether data is an electronic mail (email) message corresponding to a user mailbox or address book data corresponding to the user address book

The claims the present application each recite an element that is not disclosed in the combination *Carr* and *Togawa*. For example, Appellant's independent claim 30 recites the following:

A method comprising:
receiving data at an interface from a service;

identifying at the interface whether the data is an electronic mail (email) message corresponding to a user mailbox or address book data corresponding to the user address book;
applying a first set of code words to encode data in the email message; and
applying a second set of code words to encode the address book data.

Appellant's independent claim 43 recites:

A system comprising:
a service to provide messaging and groupware services;
an interface, coupled to receive message data from the service, including a compression module to identify whether the message data is an electronic mail (email) message corresponding to a user mailbox or address book data corresponding to the user address book,
apply a first set of code words to encode data in the email message and apply a second set of code words to encode the address book data.

Appellant's independent claim 48 recites:

A wireless processing device comprising a compression module to identify whether message data to be transmitted to a messaging service is an electronic mail (email) message corresponding to a user mailbox or address book data corresponding to the user address book,
apply a first set of code words to encode data in the email message and apply a second set of code words to encode the address book data.

Carr discloses a data processing system employing a compression method. See *Carr* at Abstract. The method includes reformatting each data packet in the data processing system by associating its static fields with a first packet region and its dynamic fields with a second packet region. The process then assembles a static table that includes static information from at least an initial data packet's first packet region. It then identifies static field information in a subsequent data packet's first packet region that is common to the information in the static table. Such common information is

encoded so as to reduce its data length. The common static information is then replaced in the modified data packet with the encoded common static information and the modified data packet is then transmitted. A similar action occurs with respect to user-data information. A single dictionary table is created for all packet headers, while separate dictionary tables are created for each user-data portion of a packet-type experienced in the communication network thereby enabling better compression. *Id.*

Togawa discloses a mail system equipped with a mail address manager for managing a mail address or addresses of one or more destinations. When a mail address of a particular destination is updated, the mail address manager registers the old mail address of the particular destination and a new mail address in correlation with each other. The result is that, even when the mail address of an intended destination has been updated, a mail source can proceed to send an e-mail, which is addressed to the intended destination at the old mail address, exactly to the intended destination without checking whether the mail address of the intended destination has been updated. Also at the mail source, it is possible to send an e-mail exactly to an intended destination without checking a restriction on a system environment of the intended destination. See *Togawa* at Abstract.

Appellant submits that neither *Carr* nor *Togawa* disclose or suggest a process of identifying whether data is an email message corresponding to a user mailbox or address book data corresponding to a user address book. Particularly, neither reference discloses or suggests identifying whether data is an email message or address book data. In the Final Office Action, the Examiner maintains that *Carr* discloses such a feature at col. 6, ll. 64 – col. 7, ll. 46. See Final Office Action at page 2, paragraph 4.

The passage relied upon by the Examiner recites:

Thus, given the above packet data fields and their essential characteristics, the invention reorders them by segregating them as follows: static; recalculatable; semi-static; and dynamic. The reordered fields occupy the same memory space as the original packet header. The static, recalculatable, and semi-static fields are then compressed using a modified LZW protocol with a dictionary table that is created specifically for the header data. Compression continues into the dynamic fields until the first incompressible field is encountered, at which point the remainder of the dynamic fields are not encoded, but are sent through as unencoded eight bit data. Then, the type field of the LAN packet is used to select a "user-data" LZW dictionary, which dictionary is used to compress the user-data portion of the LAN packet. At the end of the packet, a bit is appended that indicates whether the user data field has been compressed. While it is preferred to use the LZW algorithm, the compression of reformatted packet fields can be done using other string compression algorithms.

Turning now to FIG. 5, a reformatted TCP/IP packet is shown wherein the various categories of header fields have been moved within the packet to segregate static, semi-static and dynamic fields; and user data fields. The recalculatable fields have been zeroed, and the sequence and acknowledgement number most significant words (MSW) segregated into the static region of the packet. The identification, sequence, and acknowledgement fields have been segregated into most and least significant portions, with the former being placed in the static region and the latter in the dynamic region.

Once the packet is reformatted, as shown in FIG. 5, it is ready to be compressed using an appropriate string compression algorithm. During compression, individual dictionary tables (see FIG. 6) will be employed. One is derived specifically for the header data, while the remaining are for user-data appearing in specific types of protocol packets. For instance, if a TCP protocol is found, a separate TCP user-data dictionary will be created. Likewise, if ICMP, UDP, or LAT protocol packets are detected, they too will have individual user data dictionaries created and will be utilized for succeeding protocol packets of an identical packet type. The segregation of static data into one area of the packet enables substantially improved compression to

occur. Furthermore, the use of individual user-data dictionaries for sequences of identical packet types improves the probability that user data appearing in succeeding packets will be efficiently compressed.

Appellant respectfully submits that nowhere in the above-passages is there disclosed, or reasonably suggested, a process of *identifying whether data is an email message or address book data*. Specifically, the passage fails to disclose or suggest a process of distinguishing as to whether data is email message or address book data. In fact, there is no discussion of the term "address" in the passage.

Because *Carr* and *Togawa* each fail to disclose or suggest identifying whether data is an email message corresponding to a user mailbox or address book data corresponding to a user address book, any combination of *Carr* and *Togawa* would also fail to disclose or suggest such a feature. Thus, claim 30 and its dependent claims are patentable over *Carr* in view of *Togawa*.

Claims 31-42, 44-74 and 49-51 depend from independent claims 30, 43, and 48, respectively. Given that dependent claims necessarily include the limitations of the claims from which they depend, Appellant submits that the invention as claimed in claims 31-42, 44-74 and 49-51 are similarly patentable over a combination of *Carr* and *Togawa*.

For the forgoing reasons, Appellant submits that the Examiner has failed to search and find a printed publication or patent that discloses the claimed invention as set forth in MPEP § 706.02(a).

Thus, the Examiner erred in rejecting claims 7-15 and 21-30 under 35 U.S.C. §103(a).

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IX. CONCLUSION

Appellant respectfully submits that all appealed claims in this application are patentable and were improperly rejected by the Examiner during prosecution before the United States Patent and Trademark Office. Appellant respectfully requests that the Board of Patent Appeals and Interferences overrule the Examiner and direct allowance of the rejected claims.

This Brief is submitted with a check for \$500.00 to cover the appeal fee for one other than a small entity as specified in 37 C.F.R. § 1.17(c). Please charge any shortages and credit any overpayments to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: April 24, 2008

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X. APPENDIX OF CLAIMS (37 C.F.R. § 1.192(c)(9))

The claims on appeal read as follows:

30. A method comprising:
- receiving data at an interface from a service;
 - identifying at the interface whether the data is an electronic mail (email) message corresponding to a user mailbox or address book data corresponding to the user address book;
 - applying a first set of code words to encode data in the email message; and
 - applying a second set of code words to encode the address book data.
31. The method of claim 30 further comprising transmitting the encoded data in the email message from the interface to a wireless processing device.
32. The method of claim 31 further comprising transmitting the encoded data in the address book from the interface to a wireless processing device.
33. The method of claim 30 further comprising:
- identifying a header field within the email message;
 - applying the first set of code words to encode data in said header field; and
 - applying a third set of code words to encode data in the remainder of the email message.
34. The method of claim 33 further comprising transmitting the encoded data in the header field and the remainder of the email message from the interface to a wireless processing device.

35. The method of claim 33 further comprising transmitting only the encoded data in the header field from the interface to a wireless processing device.

36. The method as in claim 30 further comprising:
generating the first set of code words based on the frequency with which character strings represented by the code words are found within the email message; and
generating the second set of code words based on the frequency with which character strings represented by the code words are found within the address book data.

37. The method as in claim 36 wherein character strings which are relatively more common within the email message are represented by relatively shorter code words in the first set of code words and character strings which are relatively more common within the address book are represented by relatively shorter code words in said second set of code words.

38. A method comprising:
identifying at a wireless processing device whether data to be transmitted is an electronic mail (email) message corresponding to a user mailbox or address book data corresponding to the user address book;
applying a first set of code words to encode data in the email message; and
applying a second set of code words to encode the address book data;

39. The method of claim 38 further comprising the wireless processing device transmitting the encoded data in the email message to a messaging service.

40. The method of claim 38 further comprising the wireless processing device transmitting the encoded data in the address book to a messaging service.

41. The method of claim 38 further comprising:
identifying a header field within the email message;
applying the first set of code words to encode data in said header field; and
applying a third set of code words to encode data in the remainder of the email message.
42. The method as in claim 38 further comprising:
generating the first set of code words based on the frequency with which character strings represented by the code words are found within the email message; and
generating the second set of code words based on the frequency with which character strings represented by the code words are found within the address book.
43. A system comprising:
a service to provide messaging and groupware services;
an interface, coupled to receive message data from the service, including a compression module to identify whether the message data is an electronic mail (email) message corresponding to a user mailbox or address book data corresponding to the user address book, apply a first set of code words to encode data in the email message and apply a second set of code words to encode the address book data.
44. The system of claim 43 wherein the interface further transmits the encoded data in the email message to a wireless processing device.
45. The system of claim 43 wherein the interface further transmits the encoded data in the address book from to a wireless processing device.

46. The system of claim 43 wherein the interface further comprises a cache to store the message data.
47. The system of claim 46 wherein the cache comprises:
a first queue to store message data to be transmitted to the wireless device; and
a second queue to store message data received from the wireless device.
48. A wireless processing device comprising a compression module to identify whether message data to be transmitted to a messaging service is an electronic mail (email) message corresponding to a user mailbox or address book data corresponding to the user address book, apply a first set of code words to encode data in the email message and apply a second set of code words to encode the address book data.
49. The wireless processing device of claim 48 further to transmit the encoded data in the email message to the messaging service.
50. The wireless processing device of claim 48 further to transmit the interface further transmits the encoded data in the address book from to the messaging service.
51. The wireless processing device of claim 48 further comprising.
a first queue to store message data to be transmitted to the messaging service; and
a second queue to store message data received from the messaging service.

X. EVIDENCE APPENDIX

None

XI. RELATED PROCEEDING APPENDIX

- The subsequent pages include a copy of a related prior Board decision, made on 08/25/2006, regarding present application (App. No. 09/902,515).

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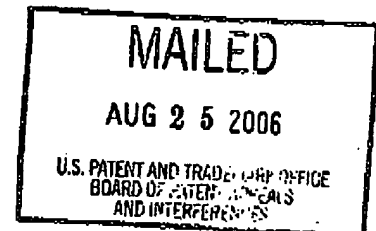
APR 24 2008

The opinion in support of the decision being entered today was not
written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCESEx parte ROGER COLLINSAppeal No. 2006-0895
Application No. 09/902,515

ON BRIEF



Before BARRY, BLANKENSHIP and SAADAT, Administrative Patent Judges.

SAADAT, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on the appeal under 35 U.S.C. § 134(a) from the Examiner's final rejection of claims 1-12, 14-16 and 22-29. Claims 13 and 17-21 have been withdrawn from consideration as being drawn to a non-elected invention.

We affirm.

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BACKGROUND

Appellant's invention is directed to data compression techniques used for transmitting data over a bandwidth-limited network. According to Appellant, first and second fields within a message are identified and different sets of code words are applied to each field to encode data in each field (specification, page 5). An understanding of the invention can be derived from a reading of exemplary independent claim 1 which is reproduced as follows:

1. A method comprising:

identifying a first field and a second field within an electronic mail (email) message;

applying a first set of code words to encode data in said first field; and

applying a second set of code words to encode data in said second field.

The Examiner relies on the following references in rejecting the claims:

| | | |
|----------------------|-----------|--|
| Carr | 5,293,379 | Mar. 8, 1994 |
| Unger et al. (Unger) | 5,991,713 | Nov. 23, 1999 |
| Ackley | 6,422,476 | Jul. 23, 2002 (filed Aug. 17, 1999) |

Claims 1, 4, 5, 9, 12, 14, 22, 25 and 26 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Carr.

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Claims 2, 3, 10, 11, 16, 23 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Carr and Unger.

Claims 6-8, 15 and 27-29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Carr, Unger and Ackley.

Rather than reiterate the opposing arguments, reference is made to the brief and answer for the respective positions of Appellant and the Examiner. Only those arguments actually made by Appellant have been considered in this decision. Arguments which Appellant could have made but chose not to make in the brief have not been considered (37 CFR § 41.37(c)(1)(vii)).

OPINION

35 U.S.C. § 102 Rejection of claims 1, 4, 5, 9, 12, 14, 22, 25 and 26

In rejecting the claims, the Examiner reads the claimed first and second field within an email on the header and the text of an email as taught by Carr (answer, page 4). Regarding claims 1 and 22, Appellant argues that Carr merely discloses static and dynamic fields within a data packet (brief, page 6) and has nothing to do with an email message nor the first and second fields within that email message (brief, page 7). In response, the Examiner asserts that the transmitted data in Carr are email messages since they are transmitted over a communication network (answer, page 10). The Examiner further argues that such

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messages are taught by Carr to have different fields containing destination address and source address which are later compressed according to two different compression dictionary tables (answer, pages 10-11).

A rejection for anticipation under section 102 requires that the four corners of a single prior art document describe every element of the claimed invention, either expressly or inherently, such that a person of ordinary skill in the art could practice the invention without undue experimentation. See Atlas Powder Co. v. Ireco Inc., 190 F.3d 1342, 1347, 51 USPQ2d 1943, 1947 (Fed. Cir. 1999); In re Paulsen, 30 F.3d 1475, 1478-79, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994).

Carr clearly discloses using different dictionary tables for compression of user data or the header portion of a data packet and for compression of the dynamic field data which may change with each data packet (col. 7, lines 4-13 and 39-46). Although we agree with Appellant that the data sent over the network of Carr include data packets, we do not find that the Examiner has made any error in reading the claims over the compression techniques of Carr as applied to two different fields in the transmitted data packets. It is the header and the dynamic content of the transmitted data packets which, when taken as a whole, indicate that the data packets of Carr are the same as the

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email messages defined by the claims. Since most transmitted data including email messages, once considered at the machine level, are sent as data packets, the disclosure of Carr would include applying different compression methods to two different fields within an email. Therefore, although Carr describes transmitting data packets between different computers, at a higher level, such data packets correspond to specific forms of data such as emails and other types of messages. This position is consistent with Appellant's disclosure specifying the application of different code words to a message in order to encode the data in each field (specification, pages 5, 21 and 22).

Therefore, we find the Examiner's reading the first and the second fields within the data packets recited in claims 1 and 22 on the compression of the data packets of Carr to be reasonable and consistent with the reference disclosure and Appellant's specification analyzed above. Accordingly, the 35 U.S.C. § 102 rejection of claim 1, as well as claims 4, 5, 22, 25 and 26 argued together as one group, over Carr is sustained.

With respect to the rejection of claim 9, Appellant presents arguments related to the presence of the first and the second fields within an email message which are similar to the arguments addressed above with respect to claim 1. Therefore, as Carr

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discloses all the claimed limitations, the anticipation rejection of claims 9, 12 and 14 over Carr is also sustained.

35 U.S.C. § 103 Rejection of claims 2, 3, 6-8 10, 11, 15, 16, 23, 24 and 27-29

With respect to the remaining claims, the Examiner further relies on Unger and Ackley while Appellant's arguments in support of patentability of these claims include assertions similar to those addressed above with respect to claims 1, 9 and 22. Considering the arguments presented and addressed above, we find the Examiner's position to be sufficiently reasonable to support a prima facie case of obviousness. Therefore, the 35 U.S.C. § 103 rejection of claims 2, 3, 10, 11, 16, 23 and 24 over Carr and Unger and of claims 6-8, 15 and 27-29 over Carr, Unger and Ackley is sustained.

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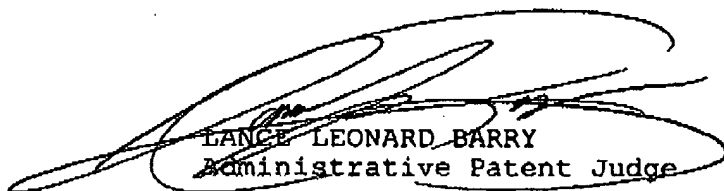
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CONCLUSION

In view of the foregoing, the decision of the Examiner rejecting claims 1, 4, 5, 9, 12, 14, 22, 25 and 26 under 35 U.S.C. § 102 and claims 2, 3, 6-8, 10, 11, 15, 16, 23, 24 and 27-29 under 35 U.S.C. § 103 is affirmed.

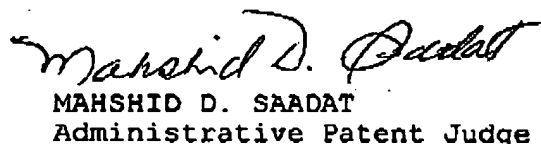
No time period for taking any subsequent action in connection with this appeal may be extended under 37 CFR § 1.136(a)(1)(iv).

AFFIRMED

LANCE LEONARD BARRY
Administrative Patent Judge



HOWARD B. BLANKENSHIP
Administrative Patent Judge



MAHSHID D. SAADAT
Administrative Patent Judge

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